

EXHIBITS

TO PLAINTIFF'S REPLY TO ESTATE AUCTION INC. OPPOSITION TO PLAINTIFF'S MOTION TO RECONSIDER

EXHIBIT # 1 EAI April 27, 2022 eBay sales receipt cut off on right side EAI000058-59.

EXHIBIT # 2A EAI Second eBay receipt was produced Nov. 16, 2022 as EAI000060

2B Mr. Duff's email Nov. 16, 2022 with eBay receipt as EAI000060

EXHIBIT # 3 EAI Third eBay receipt -Nov, 23, 2022 email code

EXHIBIT # 4 EAI no Visual Icons or Colors-Cut and Paste Text-EAI000065-66

**EXHIBIT # 5 A Wilson Elser Process Server Affidavit Sept 1, 2022 -Georgia Lawsuit
B Affidavit of Wanda Buncamper—Phone Call —**

**EXHIBIT #6 A August 30, 2022 Georgia Summons Complaint wrong year —Jan 2022
B Oct. 31, 2022 Motion for Default Judgement -Mistake Nov. 5, 2022
C June 29, 2022 Proposed Order with Future Aug. 20 2023 and Sept 29, 2023**

EXHIBIT # 7 Plaintiff's 1972 print and script signature & Girls Scout Sash with Badge.

EXHIBIT # 8 WorthPoint website photo of false "A.Trombetta" signature Pl. Evid 000163

EXHIBIT # 9 Red pencil dissimilar signature on the back of the 1972 oil painting

EXHIBIT # 10 Phone Transcript Norb Novocin 5 pages

EXHIBIT # 11 eBay Phone Call eBay 1972 oil painting "Undefined"

EXHIBIT # 12 Mr. Duff email to forward him the 2017 settlement offer-EAI00001-to 03

EXHIBIT # 13 Norb Novocin Sept 21, 2022 Deposition pages 72 to 77 with Depo Exhibit #4

EXHIBIT # 14 Nov. 16, 2022 email Anderson Duff RE the eBay receipt EAI000060

EXHIBIT # 15 Plaintiff Nov. 18, 2022 email to All Attorney regarding the eBay receipt.

EXHIBIT #16 A Bate Stamped EAI000063 Jan. 6, 2017 Email Meta Data to EAI

EXHIBIT #16B Bate Stamped EAI000073-74 alleged 1972 eBay EAI email Meta Data

EXHIBIT #17 Internet Expert Patrick O'Leary's Deposition p 132-136 on EAI000073-79

EXHIBIT #18 Deposition pages of Norb and Marie Novocin on Sept. 21, 2022.

EXHIBIT #19 Mr. Duff's Nov.23, 2022 Increased Attorney fees Electronic native email

EXHIBIT #1

EA1000058

April

Wednesday, April 27, 2022 at 21:30:09 Eastern Daylight Time

Subject: Fwd: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)

Date: Tuesday, January 10, 2017 at 5:28:43 PM Eastern Standard Time

From: eBay EA1

To: Norb Novocin, marie novocin

----- Forwarded message -----

From: eBay <ebay@ebay.com>
 Date: Sat, Dec 1, 2012 at 9:54 PM
 Subject: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)
 To: ebay@novocin.com

MISSING LOGO - NO COLOR EBAY Logo

eBay

eBay sent this message to Norb & Marie Novocin (estateauctionsinc).
 Your registered name is included to show this message originated from eBay. [Learn more](#).

Congratulations, your item sold!

Dear estateauctionsinc,

You did it! Your item sold. Please ship this item to the buyer after your buyer pays. As soon as your buyer pays, print

Complete one of the following:

- Print a shipping label Avoid a trip to the post office, print and pay for your label at home. Printing shipping labels reduced pricing on some shipping services, and when you print shipping labels on eBay, your tracking information is automatically.
- Provide shipping and tracking information. When you upload tracking information to eBay, we'll send it to your buyer as soon as the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.
- Mark your item as shipped in My eBay. Do this, and we'll let your buyer know the item is on its way. This will result in fewer questions from buyers and higher detailed seller ratings.

You should always leave feedback for your buyer to encourage them to buy from you again.

1 First Title 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz

2 Second Title 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz

Sale price: \$181.1
 Quantity sold: 1
 Sale date: Dec-0
 Buyer: nina c
 9nacl
 [conta]

Buyer's shipping address: nina c
 14215
 reno, I

[Sell another item](#) | [Send invoice](#)

1972 Name of Listing

1972 Name of Listing

Select your email preferences

- Want to reduce your inbox email volume? [Receive this email as a daily digest](#). For other email digest options, go to [Notification Preferences](#) in My eBay.
- Don't want to receive this email? [Unsubscribe from this email](#).

EXHIBIT #1 EAI000059

April 2022

Page 2

Email reference id: [#45d0df16f2ea40759d3656f834970b06#]

Please don't remove this number. eBay customer support may ask you for this number, if you should need assistance.

[Learn More](#) to protect yourself from spoof (fake) emails.

eBay sent this email to you at ebay@novocin.com about your account registered on www.ebay.com.

eBay sends these emails based on the preferences you set for your account. To unsubscribe from this email, change your [communication preferences](#). Please note that it may take up to 10 days to process your request. Visit our [Privacy Policy](#) and [User Agreement](#) if you have any questions.

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EXHIBIT #2A

① From: eBay <ebay@ebay.com>
Date: Sat, Dec 1, 2012 at 9:54 PM
Subject: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330633102936)
To: <ebay@novocin.com>

Yellow
BAR



eBay sent this message to Norb & Marie Novocin (estateauctionsinc). Your registered name is included to show this message originated from eBay. [Learn more.](#)

Congratulations, your item sold!

Missing

ebay eBay Logo is on EA1000060 and NOT on EA1000058

Dear estateauctionsinc,

You did it! Your item sold. Please ship this item to the buyer after your buyer pays. As soon as your buyer pays, print your eBay shipping label.

Complete one of the following:

- [Print a shipping label](#) Avoid a trip to the post office, print and pay for your label at home. Printing shipping labels on eBay also offers you reduced pricing on some shipping services, and when you print shipping labels on eBay, your tracking information is uploaded automatically.
- [Provide shipping and tracking information](#). When you upload tracking information to eBay, we'll send it to your buyer and let them know the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.
- [Mark your item as shipped in My eBay](#). Do this, and we'll let your buyer know the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.

You should always [leave feedback](#) for your buyer to encourage them to buy from you again.

② Title Missing
Different from
EA1000058

1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz
Sale price: \$181.50
Quantity sold: 1
Sale date: Dec-01-12 18:54:01 PST
Buyer: nina correia
9naclock (ninascorreia@aol.com)
[[contact buyer](#)]
Buyer's shipping address: nina correia
14215 prairie flower ct
reno, NV 89511-6710 United States
[Sell another item](#) | [Send invoice to buyer](#)

Select your email preferences

- Want to reduce your inbox email volume? [Receive this email as a daily digest](#). For other email digest options, go to [Notification Preferences](#) in My eBay.
- Don't want to receive this email? [Unsubscribe from this email](#).

Email reference id: #45d0df16f2ea40759d3656f834970b06#

Please don't remove this number. eBay customer support may ask you for this number, if you should need assistance.

[Learn More](#) to protect yourself from spoof (fake) emails.

eBay sent this email to you at ebay@novocin.com about your account registered on www.ebay.com.

eBay sends these emails based on the preferences you set for your account. To unsubscribe from this email, change your [communication preferences](#). Please note that it may take up to 10 days to process your request. Visit our [Privacy Policy](#) and [User Agreement](#) if you have any questions.

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Mail - Annamarie Trombetta - Outlook

Re: Norb Novocin Deposition Full Production of Exhibit #4 -2 Page eBay email

Anderson Duff <ajd@hoganduff.com>

Wed 11/16/2022 1:08 PM

To: Annamarie Trombetta <annamarietrombettalegal@outlook.com>

Cc: Adam Bialek <adam.bialek@wilsonelser.com>; Farmer, Jana S. <Jana.Farmer@wilsonelser.com>; Haimson, Nicole <Nicole.Haimson@wilsonelser.com>

1 attachments (105 KB)

EAI000060-EAI000060.pdf;

Dear Ms. Trombetta:

EXHIBIT #2B

Please find a version of the email previously produced as EAI000058-EAI000059 attached. As previously discussed, my clients are producing this email again solely because a small portion of the email was cutoff when it was converted to a .pdf. To avoid confusion, I have stamped the email as EAI000060 rather than reproducing it with the same bates number. Since you have taken the position in several filings that I fabricated evidence because the @ symbol did not appear in an email my clients produced, I made sure that the @ symbols were preserved when converting this email to a .pdf for production.

With respect to your request for "ALL eBay emails to the buyer Nina Corrieria's proof of payment and all eBay emails from Nina Corrieria to Norb Novocin and Estate Auctions Inc.," my clients cannot produce documents that do not exist. We have discussed this issue *many* times.

Best,

-Anderson-
646.450.3607
HoganDuff.com

From: Annamarie Trombetta <annamarietrombettalegal@outlook.com>

Date: Wednesday, November 16, 2022 at 8:59 AM

To: "Anderson J. Duff" <ajd@hoganduff.com>, Adam Bialek <adam.bialek@wilsonelser.com>, "Farmer,

Jana S." <Jana.Farmer@wilsonelser.com>, "Haimson, Nicole" <Nicole.Haimson@wilsonelser.com>

Subject: Re: Norb Novocin Deposition Full Production of Exhibit #4 -2 Page eBay email

As per FRCP 30 (e) production of the two page document labeled Exhibit 4 and also EAI00058 and EAI00059 is due as per requested by WorthPoint's attorneys September 21, 2022 deposition.

On Page 75 of Mr. Norb Novocin's Deposition, Mr. Novocin has all his old emails from ebay sales. SEE ATTACHMENT.

Plaintiff is requesting as ALL eBay emails to the buyer Nina Corrieria's proof of payment and all eBay emails from Nina Corrieria to Norb Novocin and Estate Auctions Inc. be produced as soon as possible. ATTACHED are recent emails from Nina Corrieria who claims that she has no written proof.

From: eBay EAI <ebay@novocin.com>
Subject: Fwd: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)
Date: January 10, 2017 at 5:28:43 PM EST
To: Norb Novocin <norb@novocin.com>, marie novocin <mombaree@gmail.com>

EXHIBIT #4

----- Forwarded message -----

From: eBay <ebay@ebay.com>
Date: Sat, Dec 1, 2012 at 9:54 PM
Subject: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)
To: ebay@novocin.com

eBay sent this message to Norb & Marie Novocin (estateauctionsinc). Your registered name is included to show this message originated from eBay. Learn more.

Congratulations, your item sold!

Dear estateauctionsinc,

You did it! Your item sold. Please ship this item to the buyer after your buyer pays. As soon as your buyer pays, print your eBay shipping label.

Complete one of the following:

- Print a shipping label Avoid a trip to the post office, print and pay for your label at home. Printing shipping labels on eBay also offers you reduced pricing on some shipping services, and when you print shipping labels on eBay, your tracking information is uploaded automatically.
- Provide shipping and tracking information. When you upload tracking information to eBay, we'll send it to your buyer and let them know the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.
- Mark your item as shipped in My eBay. Do this, and we'll let your buyer know the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.

You should always leave feedback for your buyer to encourage them to buy from you again.

1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz

Sale price:

\$181.50

Quantity sold:

1

Sale date:

Dec-01-12 18:54:01 PST

Buyer:

nina correia

9naclock (ninascorreia@aol.com) [contact buyer]

Buyer's shipping address:

nina correia

14215 prairie flower ct

reno, NV 89511-6710 United States

[Sell another item](#) | [Send invoice to buyer](#)

[Provide shipping information](#)

EXHIBIT #4

Select your email preferences

- Want to reduce your inbox email volume? Receive this email as a daily digest. For other email digest options, go to [Notification Preferences](#) in My eBay.
- Don't want to receive this email? [Unsubscribe](#) from this email.

Email reference id: [#45d0df16f2ea40759d3656f834970b06#]

Please don't remove this number. eBay customer support may ask you for this number, if you should need assistance.

[Learn More](#) to protect yourself from spoof (fake) emails.

eBay sent this email to you at ebay@novocin.com about your account registered on www.ebay.com.

eBay sends these emails based on the preferences you set for your account. To unsubscribe from this email, change your communication preferences. Please note that it may take up to 10 days to process your request. Visit our [Privacy Policy](#) and [User Agreement](#) if you have any questions.

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Fulton County Superior Court
EFILEDRM
Date: 9/1/2022 5:22 PM
Cathelene Robinson, Clerk

Form 1-AFFIDAVIT OF SERVICE



P7219694

WILSON, ELSER, MOSKOWITZ, CHITRA BHADRASAIN
IN THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA

WORTHPOINT CORP., ET AL.,

PLAINTIFF

- VS -

ANNAMARIE TROMBETTA

DEFENDANT

index No.
2022CV366175
Date Filed
Office No. N/A
Court Date.

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

FREDDI SIMON being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York.

That on the 30TH day of AUGUST, 2022 7:45 PM at
150 E 42ND STREET
NEW YORK NY 10017

I served the SUMMONS, COMPLAINT FOR DAMAGES

upon ANNAMARIE TROMBETTA

the DEFENDANT therein named by delivering and leaving a true copy or copies of the aforementioned documents with ANNAMARIE TROMBETTA
said DEFENDANT personally.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows:

SEX: FEMALE COLOR: WHITE HAIR: BROWN

APP.AGE: 55-65 APP. HT: 5'8 APP. WT: 135

OTHER IDENTIFYING FEATURES

That at the time of service, as aforesaid, I asked the DEFENDANT whether he/she was in the military service of the United States Government, or of the State of New York, and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. Upon information and belief based upon the conversation and observation as aforesaid I aver that the DEFENDANT is not in the military service, and is not dependent on anyone in the military service of the United States Government or the State of New York, as that term is defined in statutes of the State of New York, or of the Federal Soldiers and Sailors Civilian Relief Act.

18/ Sworn to before me this
1ST day of AUGUST, 2022

SELENA INES ADAMES
Notary Public, State of New York
No. 01AD6365042
Qualified in QUEENS COUNTY
Commission Expires 09/25/2025

SS.
FREDDI SIMON 2066183
Lexitas
1235 BROADWAY 2ND FLOOR
NEW YORK, NY 10001
Reference No: 7-WEMED-7219694

21

EXHIBIT #5A

EXHIBIT # 5B (1)

**IN THE SUPERIOR COURT OF FULTON COUNTY,
IN THE STATE OF GEORGIA**

WORTHPOINT CORPORATION,

Civil Action File Number : 2022 CV 366175

SHARI SEIPPEL AND WILLIAM SEIPPEL

Plaintiffs

NOTICE OF FILING OF AFFIDAVIT

vs.

BY WANDA BUNCAMPER PHONE CALL PARTY

ANNAMARIE TROMBETTA

WITH DEFENDANT ANNAMARIE TROMBETTA

Defendant

ON AUGUST 30 2022 IN NEW YORK

AT 7:40 PM TO 8:00 PM

The Notice of Filing Supplemental Affidavit in Support

Please take notice that Defendant Annamarie Trombetta has attached a NOTICE OF FILING OF AN AFFIDAVIT in Support of DEFENDANT ANNAMARIE TROMBETTA'S Improper Service. by Freddie Simon. The **AFFIDAVIT OF WANDA BUNCAMPER** is electronically filed as the AFFIDAVIT cannot be uploaded separately to an electronic format and successfully submitted in the Superior Court of Fulton County Georgia. The **AFFIDAVIT IS IN SUPPORT OF DEFENDANT'S PROOF OF IMPROPER SERVICE UPON DEFENDANT ANNAMARIE TROMBETTA ON AUGUST 30, 2022, at the law offices of Wilson Elser near 42nd Street in New York, who are the attorneys for WorthPoint Corporation.**

Respectfully Submitted,

Annamarie Trombetta
175 East 96th Street (12 R)
New York, New York 10128

_____ Electronic Signature _____

/s/ Annamarie Trombetta July 11, 2023 and July 14, 2023

Annamarie Trombetta

EXHIBIT

IN THE SUPERIOR COURT OF Fulton COUNTY
Will and Shallis Seippel STATE OF GEORGIA
and
Worthington Corporation
Plaintiff

Y ~~#5B(2)~~

Plaintiff,
v.
Anna Marie Trametta
Defendant

Civil Action File No. 2022CV366175

AFFIDAVIT

STATE OF GEORGIA
COUNTY OF

Fulton

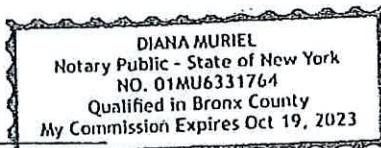
Personally appeared before the undersigned officer authorized to administer oaths,
WANDA BUNCAMPER, who states under oath that s/he has personal
knowledge of the following facts:

knowledge of the following facts:
On August 30, 2022 Defendant Annamarie Trombetta and I were talking by cell phone. Annamarie Trombetta was walking on the street while speaking to me. Annamarie Trombetta was lawfully served a Summons and Complaint while I was talking with her. The Summons and Complaint, was on the street. At no time did I hear any person ask any questions to her assisted by the process server. AT NO TIME was Annamarie Trombetta asked if she was in the military during our phone call - see attached. I did

This, 10 day of JULY, 2023 typed affidavit

Affiant

Notary Public



Sworn to and subscribed before me this 10 day of July, 20 23

EXHIBIT #5B
31

IN THE SUPERIOR COURT OF FULTON COUNTY, IN THE STATE OF GEORGIA

WORTHPOINT CORPORATION,

SHARI SEIPPEL, WILLIAM SEIPPEL, PLAINTIFF

File No. 2022 CV 366175

VS ANNAMARIE TROMBETTA, DEFENDANT

AFFIDAVIT OF WANDA BUNCAMPER

STATE OF NEW YORK : COUNTY OF NEW YORK :

I, Wanda Buncamper, being duly sworn deposes and states :

1. My name is Wanda Buncamper, I am a resident in the State of New York and a neighbor of Annamarie Trombetta who is an award winning artist, and quite talented.
2. I am writing an affidavit on behalf of artist Annamarie Trombetta in support of the traumatic and abrupt manner in which she was improperly served a summons and complaint on August 30, 2022, while I was speaking to Ms. Trombetta on the phone on said date.
3. I am familiar with the details of an online false post listed under her name. I find the claim that a nine year old child painted a four foot high painting to be ridiculous and harmful to the artist's name and reputation. It caused her to lose so much time, unnecessarily.
4. Ms. Trombetta's lawsuit in New York is primarily seeking damages and legal constraints against, WorthPoint, that intentionally lied to her and directed Ms. Trombetta to contact eBay to remove the fake online posting, while WorthPoint knowingly listed the false 1972 post on their website. I know about this case as I often meet Ms. Trombetta in the business center of our building where we both reside. Annamarie uses the printer/scanner for all legal matters.
5. On August 30, 2022, Ms Trombetta had to go for a deposition, for her lawsuit in New York, hired by WorthPoint, a company that repeatedly posted on their online website a false claim misusing her name and biography for a painting she did not paint. I support Annamarie's effort to protect her identity against those who displayed a signature that was not by her hand.

Exhibit 5B
(4)

6. On Tuesday, August 30, 2022 on or around 7 : 40 PM, Annamarie Trombetta phoned me while still in the lobby where she was deposed. I remember her describing a large, old style carriage on display in the lobby of the law firm where she was deposed on 42nd street.

7. As I was speaking to her I could tell she was no longer inside. I could hear the street noise and horns and she was speaking louder into the phone.

8. I can affirm, I suddenly heard her shout "Ah" as if something happened. When I asked her "what's wrong?", Annamarie said "someone just tried to grab my shoulder bag from behind."

9. I asked her again "*What happening*"? I can attest she was startled and traumatized. She was speaking in incomplete sentences. I encouraged her to go home. I kept talking to her while she commuted by train.

10. We met when Annamarie returned home, I saw the legal papers. I asked Annamarie if she saw the person who improperly served the papers. She replied "*No I don't know if it was a male or female. Someone grabbed my bag ..I turned around... and saw papers on the floor*" She repeated the same description as stated during our phone call.

11. There was no date on the summons and complaint. Annamarie showed me statements with the wrong dates on the same page. all with the year 2020, despite events happening one year later, in 2021. These self evident inexcusable incorrect dates, reveal a lack of legal professionalism.

12. I have read the affidavit by the process server, Freddie Simon. I am attesting that I was speaking with Annamarie Trombetta from the time she was inside the law firm's lobby till the time she entered the subway. No one ever spoke or asked Ms. Trombetta if she was in the military at any time as the process server ,Freddie Simons' affidavit states. During our phone conversation, we were in constant dialogue. The servers affidavit has false statements.

EXHIBIT #5B (5)

13. I have read three legal documents by attorney Mary Trachain-Bradley dated June 14, 2020, October 31, 2022 and the June 29, 2023 Each filing has incorrect dates.

1- The first filing has mistakes is on page 3 regarding the date of service. She wrote the date of the receipt of mailing Jan. 1, 2020, which is New Year's day. The year should be 2021.

2- The Attorney 's date of filing her default judgement is Oc. 31, 2022. Her document claims Ms.Trombetta's response was filed Nov. 5, 2022, a date after Oct. 31 2022.

3- The dates on the attorney's proposed order for the summons and complaint are in the future in August and Sept. 2023 Her claims are not verifiable. All three legal documents filed by attorney Mary Trachain- Bradlely have clerical errors and an inexcusable pattern of neglect. It behoves me to see such mistakes on a legal document.

14. Annamarie Trombetta is a talented, kind person who would not intentionally inflict emotional distress on anyone. Any claims that she would cause harm unnecessarily are false. These people should really leave Ms. Trombetta alone and let her paint . She does not deserve to be treated with such disrespect and burdened by such false claims and problems

15. I affirm, the process server never spoke with Annamarie Trombetta on August 30, 2022. I affirm was on the phone with Annamarie Trombetta on or around 7:40 PM on said date until she entered the subway around 8 pm. The process server never asked Ms. Trombetta any questions or if she was in the military Ms. Trombetta was improper served a summons and complaint. She waited to received the summons and complaint in the mail and never did.

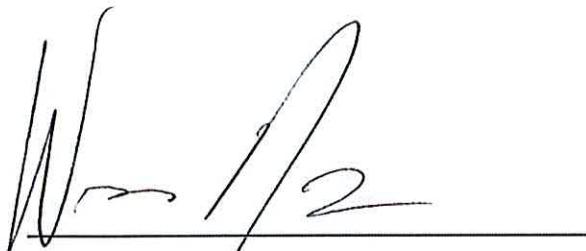
EXHIBIT #5B

WHEREFORE, I can attest as a witness to the party Annamarie Trombetta, who was
improperly served and never spoken to at any time on August 30, 2022.

(6)

Dated: 07-03, 2023

Sworn to before me this 03 day of JULY, 2023



Wanda Buncamper



Notary

HOSSAIN MOHAMMED N
NOTARY PUBLIC, STATE OF NEW YORK
01HO6356839
QUALIFIED IN QUEENS COUNTY
COMMISSION EXPIRES APRIL 10, 20

25

Wanda Buncamper
175 East 96th Street
New York, New York, 10128

Exhibit #6
A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANAMARIE TROMBETTA

Plaintiff,
-against- Civil Case No. 18-cv-00993-RA-SLC

NORB NOVOCIN, MARINE NOVOCIN, ESTATE
AUCTIONS, INC., AND WORTHPOINT CORPORATION,

Defendants.

NOTICE OF DEPOSITION OF
PLAINTIFF ANNAMARIE TROMBETTA

PLEASE TAKE NOTICE that, Pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant WorthPoint Corporation (hereinafter "WorthPoint") by and through its attorneys, WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, will take the deposition upon oral examination of Plaintiff Annamarie Trombetta, on the 30th day of August, 2022 at 9:00 a.m., at the law offices of WILSON ELSER MOSKOWITZ EDELMAN & DICKER, LLP, located at 150 East 42nd Street, New York, New York 10017.

The deposition will be conducted before an officer authorized by law to administer oaths for the purposes set forth in the Federal Rules of Civil Procedure and will be videotaped. If this deposition is not completed on said date, the taking thereof will continue from day to day thereafter, at the same time and via the same virtual means, weekends and holiday excluded.

Plaintiff is hereby advised that WorthPoint will be inquiring into the matters the matters listed in Exhibit A hereto.

Fulton County Superior Court
EII FDLW

Motion to Dismiss

EXHIBIT 5A

10.

Trombetta was directed to file her purported Amended Complaint by January 17, 2020. On that date Trombetta filed a pleading entitled "Proposed Amended Complaint."

11.

Trombetta then untimely filed a pleading entitled the "Operative Amended Complaint" on February 21, 2020.

12.

Wrong

Trombetta's Amended Complaint alleged claims against WorthPoint, worthpoint.com, WSeippel, and Jason Packer, a WorthPoint employee.

13.

On March 19, 2020, Trombetta was ordered to effect service of the Amended Complaint on WorthPoint and WSeippel. Ms. Trombetta failed to properly effect service.

14.

On April 6, 2020, Trombetta was again ordered to effect service of the Amended Complaint on WorthPoint and WSeippel no later than May 21, 2020. Ms. Trombetta failed to properly effect service.

15.

Approximately one (1) full year after filing the Amended Complaint, Trombetta arranged service of process on WorthPoint and WSeippel. On Jan 1, 2020, service was delivered via certified mail to WorthPoint. On January 4, 2020, service was delivered via Certified Mail to WSeippel and SSeippel's home residence.

Wrong Year

Wrong Year

~~EXHIBIT 6B1~~

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

**WORTHPOINT CORP., SHARI
SEIPPEL, AND WILLIAM SEIPPEL,**

PLAINTIFFS,

V.

ANNAMARIE TROMBETTA,

DEFENDANT.

Civil Action

File Number: 2022 CV 366175

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT JUDGMENT
IN RESPONSE TO DEFENDANT'S MOTION TO DISMISS**

COME NOW Plaintiffs WORTHPOINT CORP., SHARI SEIPPEL and WILLIAM SEIPPEL (hereinafter collectively referred to as "Plaintiffs") and move pursuant to O.C.G.A § 9-11-55, for judgment on all counts of Plaintiffs' ("Complaint") against Defendant ANNAMARIE TROMBETTA, and show this Court the following:

1.

Plaintiffs caused Defendant to be served personally with a true and correct copy of the Summons and Complaint, which service was perfected by a private process server on August 30, 2022, as reflected in the *Affidavit for Entry of Service* filed on September 1, 2022.

2.

Service was properly effectuated as set forth in the two (2) Affidavits of Service filed with this Court.

3.

Defendant acknowledged receipt of the Summons and Complaint on August 30, 2022.

EXHIBIT #6B (2)

4.

More than thirty (30) days elapsed prior to Defendant sending an electronic copy of a responsive pleading. The electronic copy was (1) untimely and (2) did not effectuate proper filing within the State of Georgia.

5.

More than thirty (30) days elapsed prior to Defendant filing her first responsive pleading on November 5, 2022

6.

At the time that Defendant filed her response on November 5, 2022, Defendant was in default.

7.

No costs have been paid by Defendant, and said default has not been opened as a matter of right in the manner set forth in O.C.G.A § 9-11-55.

8.

By virtue of Defendant's failure to open her default, Defendant has admitted all well-pleaded allegations contained in the Complaint, as well as all reasonable inferences that could be drawn from such allegations. Stroud v. Elias, 247 Ga. 191, 193 (1981).

9.

The facts alleged in the Complaint show that Defendant is liable to Plaintiffs for claims for abusive litigation and emotional distress.

10.

The torts committed by Defendant were knowingly committed by Defendant within Fulton County, Georgia.

EXHIBIT #60

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

WORTHPOINT CORP., SHARI
SEIPPEL, AND WILLIAM SEIPPEL,

PLAINTIFFS,

v.

ANNAMARIE TROMBETTA,

DEFENDANT.

Civil Action

File Number: 2022 CV 366175

ORDER GRANTING DEFAULT JUDGMENT

Defendant Annamarie Trombetta (“Defendant”), having been duly and lawfully served with the *Summons and Complaint* in this action on August 30, 2023 as established by Affidavit, having failed to respond thereto as required by law, this action having automatically being in default on September 29, 2023, and Defendant having failed to move the Court to open the default or pay the mandatory costs as a matter of right within 15 days of the day of default,

IT IS HEREBY ORDERED AND ADJUDGED:

1. Plaintiffs’ Motion for Default is hereby granted, the Court hereby finds for Plaintiffs and against Defendant as to liability on each Count of the Complaint, and further finds that Plaintiffs shall have the following relief:

i. Judgment to WorthPoint Corp. in the liquidated sum of \$85,000.00 itemized in paragraphs 27 and 28 of Plaintiff’s Complaint for the calculation of (1) attorneys’ fees, (2) termination and replacement of business insurance coverage, and (3) salaries paid for employees in investigation of the claims raised,

Plaintiff's Evidence 000495

EXHIBIT # 7

Dynamite Johnson
7412 12th Avenue
Brooklyn NY 11228

9281-090
Sergeant B.
680-4278

124-7421
836-7421
Doctor Riedy

Officer John
236-8049
HOS



GREATER NEW YORK

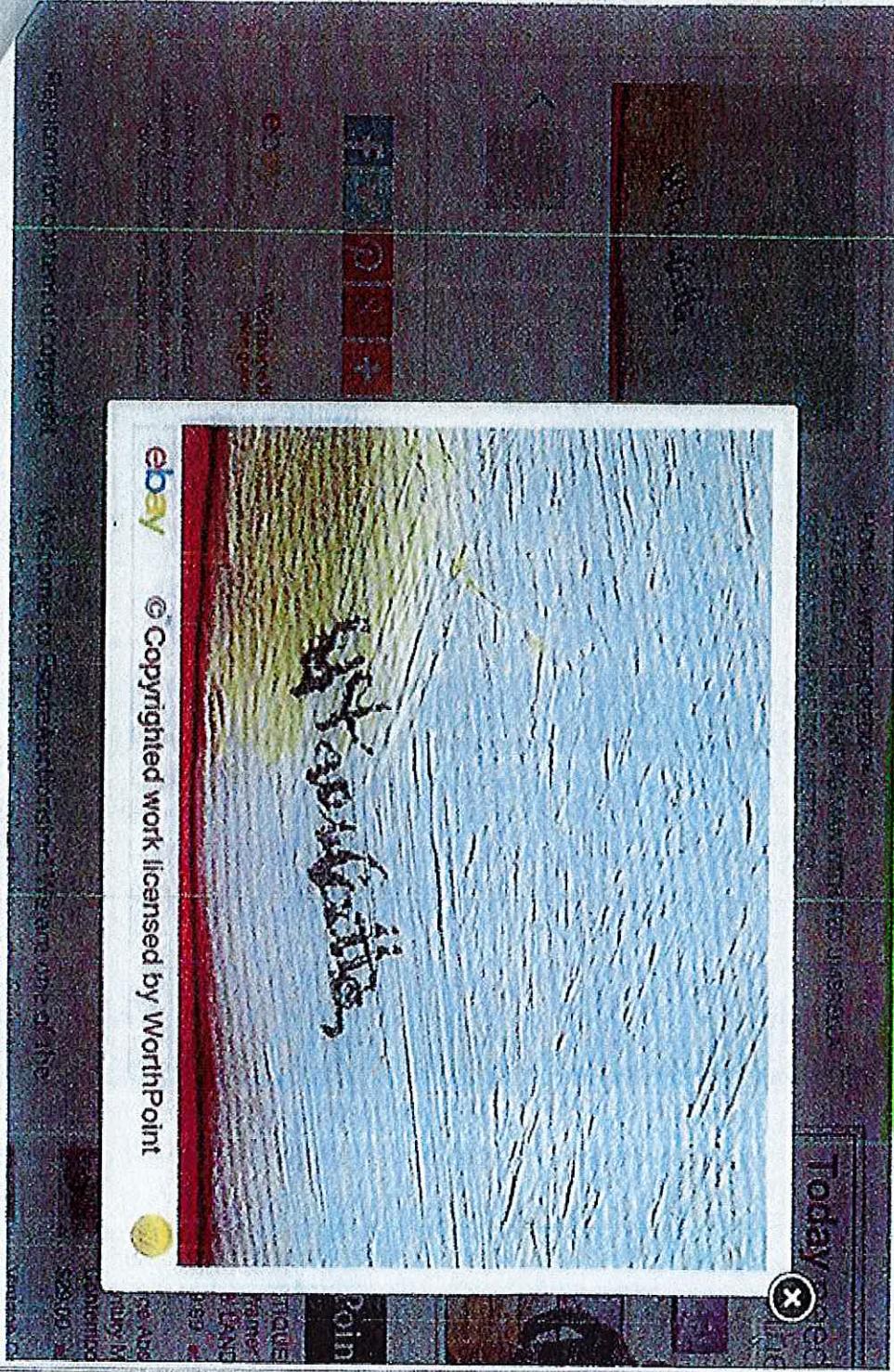


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Sorted 1/19/13

EXHIBIT # 8

1972 Original Oil Painting Man With Red Umbrella Signed Auguste Trombetta 1972 [12/01/2012]



TRONBETTA

#3 Exhibit
DNA 4
Makia

Plaintiff 000143



Exhibit
9

E

七

Plaintiff 000142

MAPLE GROVE

~~EXHIBIT #10~~
(1)

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

00:00;07;18 - 00:00;48;00 Norb Novocin January 10, 2017

Speaker 1 Novocin I don't know where I acquired that. We sell about 360 items a week. So week in and week out so that's, that's um four, over four years ago, five years. So unfortunately, I don't know where I acquired that. So I'm calling you back to tell you that I have a wealth of no knowledge for you.

Speaker 2 Trombetta You have a wealth of no knowledge.... Don't you have any paper or transact.... payment transactions?

Speaker 1 Novocin Yes, I have that. The lady does not want us to get her information... to you. So we don't give out information on anyone?

00:00;49;26 - 00:01;03;03

Speaker 2 Trombetta You don't give out any information. But there's something that I need to tell you.

Speaker 1 Novocin Okay.

Speaker 2 Trombetta Which is that... I need to get that information for my own purposes.

Speaker 1 Novocin Well, Unfortunately, I can't give it to you. I ...-It's Just ...We are under ah(a binding thing). We don't give out information...

00:01;05;24 - 00:01;28;06

Speaker 2 Trombetta But it was sold for one hundred eighty one dollars and fifty cents?

Speaker 1 Novocin It was sold for one hundred eighty one dollars and fifty cents.

Speaker 2 Trombetta Okay and ah even though it was damaged ?

Speaker 1 Novocin Yup

00:01;30;19 - 00:1:49

Speaker 2 Trombetta And even though there were two signatures on it.... front and back ?

Speaker 1 Novocin Yup

Speaker 2 Trombetta Okay well ah, all I can tell you is that um ...the fact that you can't give me that information...ah

EXHIBIT #10
(2)

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

00:1:49 00:02:03

Speaker 1 Novocin

I...I just can't. I'm sorry. It is as if you had told me to say.. Hi, I talked to youYou 've got my phone number... Please do not give out my phone number to anyone else. I couldn't do it unless you said I could do it.

00:2 :04

Speaker 2 Trombetta

But that's in relationship to a particular item. You don't know why I want to speak to this woman.

00:02:10;23 - 00:02:55;04

Speaker 1 Novocin

I understand that but she's asked for me not to give out her information.

Speaker 2 Trombetta

Well, OK, then. The seller of the item, is it possible to give out that information?

Speaker 1 Novocin

I do not have that anymore.

Speaker 2 Trombetta

You don't have

Speaker 1 Novocin

It is older than our computer system has maintained. So so six years ...five years is older than our computer system. Our computer system cut out in ah January of 2013 and unfortunately, this was in December of 2012.

Speaker 2 Trombetta

So you're saying that you have no record of who the seller was....

Speaker 1 Novocin

Who I purchased it from I'm the seller.

Speaker 2 Trombetta

You're the seller.

EXHIBIT #10
(3)

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

Speaker 1 Novocin

I'm the seller. I sold this on eBay.

00:02;58;00 - 00:03;42;14

Speaker 2 Trombetta

And you don't know how you acquired it.

Speaker 1 Novocin

I acquired it at an auction, somewhere. It could have been... I go to about four auctions a week. I sell about 360 items every week... every week. So no I don't know which auction this came from.

Speaker 2 Trombetta

Well, since it's a painting, shouldn't it have had some kind of authenticity or ah uh ...as your wife said, provenance ?

Speaker 1 Novocin

If it doesn't have provenance..... there's lots of paintings out there without a provenance and so what we stated this ... We didn't even state it was by you. We just stated it was signed Annamarie Trombetta.

00:03;42;14 - 00:03;43;28

Speaker 2 Trombetta

Right And that's fraud, sir.

00:03;44;07 - 00:03;51;28

Speaker 1 Novocin

Why is that fraud ?

Speaker 2 Trombetta

Because, I did not do that painting. And I'm not a hack of a painter. I'm a professional painter.

00:03;52;03 - 00:03;52;21

Speaker 1 Novocin

Okay

Speaker 2 Trombetta

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

(4)

And to put my signature on a painting.....

Speaker 1 Novocin

It may be more than one Annamarie Trombetta

Speaker 2 Trombetta

It may.....

Speaker 1 Novocin

All I know is that it was signed that..... It was signed that.

00; 04;07 00; 04;35

Speaker 2 Trombetta

Right.... But.... when I saw the information ascribed to this painting, it was from my website.

Speaker 1 Novocin

Okay.

Speaker 2 Trombetta

No, it's not okay. That's fraud. And technicallylegally... You're not supposed to use my name. And you're not supposed to sign things.

00;04;35;17 - 00;05;13;24

Speaker 1 Novocin

We have not sign anything. We did not sign anything. The painting was already signed.

Speaker 2 Trombetta

But you can't tell me where you acquired the painting

Speaker 1 Novocin

Not right now I can't. Nope.

Speaker 2 Trombetta

And you can't tell me who purchased the painting.

Speaker 1 Novocin

I won't tell you whose

~~EXHIBIT #10~~

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff (5)

Speaker 2 Trombetta

You won't.....

Speaker 1 Novocin

who purchased the painting.... cause she asked me not to.....

But if you want to acquire an attorney and go for stuff... stuff then Go For it. But we have not done anything illegal or wrong.

Speaker 2 Trombetta

Well let's leave a court to decide that, thank you,

Speaker 1 Novocin

Very good, thank you.

Speaker 2 Trombetta

We will.

EXHIBIT #11

Page 19

00;40;32;10 - 00;40;40;26

Archer

eBay. Yeah. But if I'm going to be the one to create this page, I can get and add any webpage 's link, to any link on my page not just eBay

00;40;41;19 - 00;40;48;07

Annamarie Trombetta

Well, let me ask you this. Can can an unknown party put anything on the Internet.

00;40;52;01 - 00;40;56;04

Archer

that's possible.

00;40;56;17 - 00;41;20;04

Annamarie Trombetta

That's possible.

Archer

Yeah, it's coding.

Annamarie Trombetta

Coding. Well, how would you know whether it was coded because that would solve the riddle that an unknown party put this on the Internet. Would that be in the URL of worth point

00;41;23;12 - 00;41;27;09

Archer

I really can't understand this information. That said, assist you further. Like getting those information We need to find out for their seller is, but I don't have much information to link it to our database.

00;41;36;28 - 00;41;57;28

Annamarie Trombetta

OK, so is there anybody or any department, maybe a legal department that I can contact to find out how I can either determine who the seller is or possibly to get this link with eBay off the Internet.

00;42;01;01 - 00;42;06;26

Archer

And if they help you further, I can't pull up any correct information associated with the sale now because it's UNDEFINED Nothing is showing up here ...Ah ..just the source.. that it's sold on eBay.

00;42;16;08 - 00;42;33;13

Annamarie Trombetta

OK, if its undefined, but what's not undefined is the association of my name with your company with WorthPoint and with this piece of artwork and with the signature, it is my name that is being used.

00;42;35;19 - 00;42;46;12

Archer

Re: Plaintiff's Fourth Settlement Letter

Anderson Duff <ajd@hoganduff.com>

Tue 5/16/2023 8:41 PM

To: Annamarie Trombetta <annamarietrombettalegal@outlook.com>

Cc: Farmer, Jana S. <Jana.Farmer@wilsonelser.com>; Adam Bialek <adam.bialek@wilsonelser.com>; Cahill, John <John.Cahill@wilsonelser.com>

Ms. Trombetta:

If you offered to settle this action for \$8,000 in 2017, please forward that offer to all parties as I do not believe you ever offered to settle for anything below tens of thousands of dollars. The monetary demands in your letter, totaling several hundred thousand dollars, are far and away above what you could recover in the best case scenario for you. As your demands are not tethered to reality, my clients will not agree to a settlement conference and will move forward with our demand for attorneys' fees, as has been explained to you many, many times during the past several years.

Best,

-Anderson-
646.450.3607
HoganDuff.com

EXHIBIT H

12

From: Annamarie Trombetta <annamarietrombettalegal@outlook.com>

Date: Tuesday, May 16, 2023 at 8:35 PM

To: "Farmer, Jana S." <Jana.Farmer@wilsonelser.com>, Adam Bialek <adam.bialek@wilsonelser.com>,

"Cahill, John" <John.Cahill@wilsonelser.com>, "Anderson J. Duff" <ajd@hoganduff.com>

Subject: Plaintiff's Fourth Settlement Letter

To All Parties,

Attached is Plaintiff's Fourth Settlement Letter.

Sincerely,
Annamarie Trombetta



2017-August-28

EXHIBIT
#12 (1)

BY FEDERAL EXPRESS AND ELECTRONIC MAIL; WITHOUT PREJUDICE; FOR SETTLEMENT PURPOSES

Mr. & Mrs. Norbert and Marie Novocin
Estate Auctions Inc.
1221 Old Furnace Road
Seaford, DE 19973
estateauctionsinc@gmail.com

Re: Misattribution of eBay Lot Sold on 2012-Dec.-01, Described as "1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta YQZ" (the "Lot")

Mr. and Mrs. Novocin:

We represent the artist Annamarie Trombetta ("Ms. Trombetta") in relation to your sale of the Lot referenced above. If you are represented by counsel, please forward this communication to him/her.

Estate Auctions Inc. ("EAI") offered the Lot in December 2012 on eBay. EAI's eBay seller page listed the Lot as being "by Annamarie Trombett[a]" and "signed Annamarie Trombetta." The listing reproduced biographical information from Ms. Trombetta's website, and further indicated that the Lot was "signed on the bottom, but on the back it has written in red on the stretcher, Annamarie Trombetta 'Gifted' 1977, 'Painted' 1972."

There are numerous grave problems with this attribution and description, including without limitation:

- Ms. Trombetta did **not** create the Lot nor approve her association therewith, such that the attribution of the work to her likely constitutes a **false designation of origin** in violation of the Lanham Act, and may also constitute a **violation of her moral rights** under the Visual Artists Rights Act;
- The unauthorized use of Ms. Trombetta's name for advertising or trade purposes was a **violation of her right of publicity** under New York state law;
- The publication of the misattribution of the Lot constituted **defamation**, resulting in damage to Ms. Trombetta's reputation, a detrimental impact on the sales prices for authentic works by her hand and/or the loss of individual sales thereof;
- The eBay listing's use of Ms. Trombetta's original website text constituted **copyright infringement**; and
- Because the signature on the front of the Lot can at best be read as "A. Trombetta," not "Annamarie Trombetta," the eBay listing, entirely *aside* from effecting a false attribution,

Estate Auctions Inc.
2017-August-28
Page 2 of 3

EXHIBIT #
12
(2)

was actually demonstrably inaccurate, potentially negligent and constituted a **breach of express warranty** in violation of the Uniform Commercial Code.

We understand that Ms. Trombetta reached out to you soon after her discovery of your online sale of the Lot, and spoke with you by telephone in January of this year, after the misattribution had been continually published for close to **four years**—damaging her reputation and the market for her artwork all the while. Upon learning from our client that EAI had misattributed the Lot, you apparently refused to remedy the situation. Among other potential avenues of redress, you declined to do any of the following:

- Provide to Ms. Trombetta images of the verso of the Lot showing the alleged inscription;
- Provide to Ms. Trombetta contact information for the consignor or purchaser of the Lot or assure Ms. Trombetta that such third parties would be notified of EAI’s misattribution of the work;
- Assure Ms. Trombetta that the misattribution would be corrected in EAI’s records, including without limitation any public records (such as those available through online aggregators, e.g. WorthPoint) or website metadata.

Rather than taking any of the above actions or otherwise addressing the wrongs inflicted on this established artist, you challenged Ms. Trombetta to get an attorney. She has done so.

As discussed above, **EAI’s misattribution and misdescription of the Lot, as well as its unauthorized use of Ms. Trombetta’s website text, violates Ms. Trombetta’s legal rights and gives rise to numerous claims under federal and/or state law.** EAI’s failure to take corrective actions, even after being notified by Ms. Trombetta of these issues—in combination with other consumer complaints regarding misattributions and false descriptions of property sold by EAI—may also constitute evidence of fraudulent intent and/or a pattern of fraudulent behavior triggering criminal liability.

Although we were disappointed to learn that you previously declined to remedy your breaches of our client’s rights, we have counseled Ms. Trombetta to make a final attempt to resolve this matter amicably with EAI, so as to save her the time and energy that would be consumed by commencement of an action against EAI. To that end, without prejudice and with express reservation of all of her rights, powers and privileges available under at law or in equity, Ms. Trombetta hereby demands that EAI:

- **notify the consignor and purchaser** of the Lot of the Lot’s misattribution, explicitly indicating that the Lot was not painted by Ms. Trombetta, and provide a copy of such notices and delivery confirmations to Ms. Trombetta (for the purposes of this settlement, it is acceptable for EAI to redact the names of the consignor and purchaser);
- **confirm that its internal records and any publicly-accessible data** (including website metadata) in regard to the sale of this Lot **has been corrected to remove any reference to Ms. Trombetta** (and instead correctly attribute the work to a different artist, or identify it as

Estate Auctions Inc.
2017-August-28
Page 3 of 3

EXHIBIT #12(3)

“artist unknown”), including any data or metadata maintained by third party websites with whom EAI has a contractual relationship (e.g. Google AdWords or other SEO services), providing a listing of such corrective actions upon their initiation, and subsequent confirmation upon completion of such actions;

- **remit the lump-sum amount of \$8,000.00 as liquidated damages** for the irreparable harm to her reputation and market caused by the original misattribution and EAI’s subsequent willful perpetuation thereof.

Please confirm your agreement to the above conditions at your earliest convenience, and in any event no later than the close of business, New York time, on Friday, 2017-September-01; we will be happy to provide you with wire details for this firm’s escrow account.

The foregoing does not purport to state all of the relevant facts or points of law. We request that EAI appropriately identify, preserve, and segregate all information relevant to Ms. Trombetta’s claims, including without limitation electronically-stored information (e.g., text messages, computer caches, recycle bins, emails, all drafts and mark-ups of documents, etc., whether controlled by EAI or its employees), in anticipation of the possibility of litigation regarding this matter. Nothing contained herein, and no delay, failure or omission by Ms. Trombetta to exercise any right shall impair such right or operate as a waiver thereof.

Kind regards,



Megan E. Noh

Cc: Annamarie Trombetta

EXHIBIT #13

EAI000058

Wednesday, April 27, 2022 at 21:30:09 Eastern Daylight Time

Subject: Fwd: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)

Date: Tuesday, January 10, 2017 at 5:28:43 PM Eastern Standard Time

From: eBay EAI

To: Norb Novocin, marie novocin

----- Forwarded message -----

From: eBay <ebay@ebay.com>

Date: Sat, Dec 1, 2012 at 9:54 PM

Subject: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)

To: ebay@novocin.com

Missing Logo

eBay

eBay sent this message to Norb & Marie Novocin (estateauctionsinc).
Your registered name is included to show this message originated from eBay. [Learn more](#).

Congratulations, your item sold!

Dear estateauctionsinc,

You did it! Your item sold. Please ship this item to the buyer after your buyer pays. As soon as your buyer pays, print
Complete one of the following:

- Print a shipping label Avoid a trip to the post office, print and pay for your label at home. Printing shipping labels at home is easy. You can get great deals on shipping labels if you reduced pricing on some shipping services, and when you print shipping labels on eBay, your tracking information is automatically included.
- Provide shipping and tracking information. When you upload tracking information to eBay, we'll send it to your buyer so they know the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.
- Mark your item as shipped in My eBay. Do this, and we'll let your buyer know the item is on its way. This will result in fewer questions from buyers and higher detailed seller ratings.

You should always leave feedback for your buyer to encourage them to buy from you again.

1

1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz | 1972 Original Oil Painting Man
Annamarie Trombetta yqz

2

Sale price: \$181.00

Quantity sold: 1

Sale date: Dec-01

Buyer: nina c. 9nack

Icons: 1

Buyer's shipping address: nina c.

14215

reno, NV

Sell another item | Send invoice

Cut Off

Cut Off

Cut Off

Select your email preferences

- Want to reduce your inbox email volume? Receive this email as a daily digest. For other email digest options, go to [Notification Preferences](#) in My eBay.
- Don't want to receive this email? Unsubscribe from this email.

EXHIBIT #13 (1)

Page 72

1 N. NOVOCIN

2 is the computer guy.

3 Q. Are you referring to the
4 listing that appeared on the Worthpoint
5 website or something else?

6 A. I'm not sure -- yeah, I'm not
7 sure if he got it off of Worthpoint or
8 somewhere else. I think he got it from
9 somewhere else, because I don't see him
10 going to Worthpoint to try to get
11 something.

12 MS. FARMER: Marlene, we are up
13 to Exhibit 4. I'm going to ask you
14 to mark this document as Defendant's
15 Exhibit 4, EAI000058 and 59 as
16 Defendant's Exhibit 4 of today's
17 date.

18 (Whereupon, the aforementioned
19 document was deemed marked as
20 Defendant's Exhibit 4 on this date,
21 by the Reporter).

22 Q. I'm going to put it at a
23 hundred percent magnification. Mr.
24 Novocin, I'm showing you what has been
25 marked as Defendant's Exhibit 4 of today's

EXHIBIT

136

Page 73

1 N. NOVOCIN

2 date. It's a two-page pdf document with
3 bates stamp ranging EA1000508 to 59. I'm
4 going to scroll to the bottom of the
5 document so you can see the entire thing.
6 It is currently shown to you at a hundred
7 percent of magnification. Can I magnify it
8 further for you to be able to see?

9 A. No. That's fine. I have to
10 take my glasses off to read.

11 Q. If you want 125 percent, let me
12 know if that's better.

13 A. That's fine.

14 Q. Mr. Novocin, when you mentioned
15 that your son was able to dig up the
16 listing, did you by any chance mean this
17 document?

18 A. No.

19 Q. So you meant the full text of
20 the listing?

21 A. Yes.

22 Q. Do you or your son or anybody
23 at Estate Auctions, Inc. currently still
24 have possession of that listing that your
25 son was able to dig up?

~~EXHIBIT #136~~

Page 74

1 N. NOVOCIN

2 A. I couldn't find it. I e-mailed
3 it to myself.4 MS. FARMER: To the extent not
5 already produced, we will call for
6 the production of the copy of the
7 listing that your son was able to
8 find. We will make a request of Mr.
9 Duff.10 Q. Mr. Novocin, this document,
11 Defendant's Exhibit 4 that we are looking
12 at, that appears to be an e-mail address to
13 you, correct?

14 A. Yes.

15 Q. It appears to be from Ebay,
16 EAI?

17 A. Correct.

18 Q. Is that the typical e-mail that
19 you would receive from Ebay when one of
20 your listings would sell?21 A. No. Let me -- the one further
22 down would be, yes, where it says,
23 "Congratulations, your item sold", all of
24 that would be a typical one that we had
25 from Ebay, yes.

EXHIBIT #13 (4)

Page 75

1 N. NOVOCIN

2 Q. I take it the top e-mail is for
3 the earlier notification, correct?

4 A. Correct.

5 Q. Did you ask Ebay to be sent to
6 you that sales notification from 2012?

7 A. No.

8 Q. How did you happen to get the
9 January 10, 2017 e-mail?

10 A. We would have gone through our
11 old e-mails and got a copy of it from other
12 old e-mails. We don't throw e-mails away.

13 Q. When it says Ebay, EAI, does
14 that indicate it came from Ebay or some
15 other company?

16 A. It came from us, Estate
17 Auctions Incorporated.

18 Q. This is initially you
19 forwarding your old e-mail to yourself?

20 A. Correct.

21 Q. To your knowledge, does your
22 e-mail server, if they are familiar with
23 somebody's e-mail address, do they brief it
24 so the A sign is not visible?

25 A. Yes.

EXHIBIT #13 (5)

Page 76

1 N. NOVOCIN

2 Q. It would make sense that your
3 e-mail system knows your other e-mail
4 addresses, correct?

5 A. Correct.

6 Q. Now, the e-mail below it,
7 December 1, 2012, it is from Ebay.com,
8 correct?

9 A. Correct.

10 Q. You received that e-mail from
11 Ebay at Ebay@Novocin.com, correct?

12 A. Correct.

13 Q. Was that the e-mail that you
14 personally used, somebody else in your
15 company or something else?

16 A. One of the company e-mails
17 yeah.

18 Q. Who has access to these
19 e-mails?

20 A. The list of people that I gave
21 you earlier all have access to that e-mail.

22 Q. Are you by any chance still in
23 possession of the original file for this
24 e-mail? Not the pdf, but the actual
25 e-mail.

EXHIBIT #36

Page 77

1 N. NOVOCIN

2 A. I don't know. I would have to
3 go and check. I don't know if we still
4 have that, if Ebay@Novocin.com goes back
5 that far.

6 Q. Do you see towards the bottom
7 of this document, there appears to be a
8 section that's a little bit cut off. Do
9 you see that?

10 A. Yes.

11 Q. I'm going to ask if you can go
12 back and check if the original e-mail file,
13 if you still have it, might have this
14 information without being cut off. If so,
15 I would ask of you to please provide us
16 with a copy that's not cut off. Okay?

17 A. That's okay. I'm pretty sure
18 we have a copy. In fact, this one here
19 might be a copy of it. When you create
20 pdfs, sometimes pdf cut it off. I can get
21 that.

22 MR. DUFF: What's the part
23 that's cut off?

24 (Whereupon, an off the record
25 discussion was held).

EXH(B)(7)(H)(4)

From: eBay <ebay@eBay.com>
Date: Sat, Dec 1, 2012 at 9:54 PM
Subject: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)
To: <ebay@novocin.com>



eBay sent this message to Norb & Marie Novocin (estateauctionsinc).
Your registered name is included to show this message originated from eBay. [Learn more](#).

Congratulations, your item sold!

Dear estateauctionsinc,

You did it! Your item sold. Please ship this item to the buyer after your buyer pays. As soon as your buyer pays, print your eBay shipping label.

Provide shipping information

[Go to My eBay](#)

Complete one of the following:

- [Print a shipping label](#) Avoid a trip to the post office, print and pay for your label at home. Printing shipping labels on eBay also offers you reduced pricing on some shipping services, and when you print shipping labels on eBay, your tracking information is uploaded automatically.
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1972 Original Oil Painting Man With Red Umbrella Signed
Annamarie Trombetta yqz
Sale price: \$181.50
Quantity sold: 1
Sale date: Dec-01-12 18:54:01 PST
Buyer: nina correia
9naclock (ninascorreia@aol.com)
[contact buyer]
Buyer's shipping address: nina correia
14215 prairie flower ct
reno, NV 89511-6710 United States
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